



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

JAN 16 2015

MEMORANDUM FOR COMMANDANT OF THE MARINE CORPS

SUBJECT: Fiscal Year 2016 U.S. Marine Corps Brigadier General Promotion Selection Board

On November 14, 2014, my office received the report of the Fiscal Year 2016 U.S. Marine Corps Brigadier General Promotion Selection Board (Board) for review. On January 5, 2015, you informed me that a member of the Board has a familial relationship with one of the eligible officers considered for promotion. Federal law and the regulations pertaining to promotion selection boards require they act without prejudice or partiality and act to maintain the integrity and independence of the promotion selection board. An officer serving as a promotion selection board member when a close relative is among the eligible officers considered for promotion creates, at least, an unacceptable appearance of partiality and potential for prejudice. Accordingly, I have determined that the Board, as constituted at that time, was conducted contrary to my guidelines in the precept convening the Board. Therefore, I am returning the report to the Board for further proceedings in accordance with section 618 of title 10, U.S. Code.

The Board shall be reconvened with a modified membership that shall not include any members or recorders who participated in the Board convened on September 30, 2014. The modified Board membership shall comply with applicable laws and regulations, including my memorandum of January 9, 2015 establishing promotion selection board membership screening requirements. Upon assembly, the Board will proceed in accordance with all applicable laws, regulations, my precept, and any additional instructions which I may provide under separate cover.

The reconvened Board shall assemble no later than March 31, 2015. The promotion zones (as calculated on September 30, 2014) and number of authorized selections to the grade of brigadier general shall comply with the Fiscal Year 2016 U.S. Marine Corps General Officer Promotion Plan. The reconvened Board will consider the records of all eligible officers and any correspondence submitted to the Board prior to the convening date of September 30, 2014. The Board members and recorders shall not be permitted to review or consider the recommendations of the original membership panel that convened on September 30, 2014.


Ray Mabius

Enclosure (2)



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

July 27, 2015

MEMORANDUM FOR COMMANDANT OF THE MARINE CORPS

SUBJECT: FY16 U.S. Marine Corps Brigadier General Promotion Selection Board

References: (a) Command Investigation into the FY16 Brigadier General Promotion Selection Board dtd 13 Mar 15 w/endorsements
(b) Secretary of the Navy ltr of 23 Jan 15
(c) Secretary of the Navy memo of 9 Jan 15

On January 23, 2015, I directed a formal inquiry into the proceedings of the Fiscal Year 2016 U.S. Marine Corps Promotion Selection Board (hereinafter "the Board") be convened. I have reviewed reference (a). This detailed investigation thoroughly examined the totality of the promotion board process and complied with my direction contained in reference (b).

Based on my review, I concur with the Investigating Officer's conclusion that there was "no indication of any prejudice or partiality in the assembly or conduct of the board by administrative support staff, recorders, or board members." Although there is no indication of partiality or wrongdoing in this instance, a familial relationship between board members and eligible officers creates, at a minimum, the appearance of partiality and calls into question the integrity of the promotion board process. As noted in reference (a), the Marine Corps lacked sufficient screening mechanisms to identify familial relationships between board members and eligible officers. I am satisfied that the policies and processes implemented by the Marine Corps in response to reference (c) adequately address the shortcomings identified in the member screening and selection process.

To the extent permitted by law and regulation, you are authorized to discuss this investigation with senior General Officers. Discussion of the nature and scope of the investigation, the reason for convening the investigation, the results and findings of the investigation which do not pertain to board deliberations, the importance of maintaining the integrity of the promotion board process, and improvements implemented as a result of the investigation is permissible. Any discussion of board deliberations, including the actions, comments, or thought processes of board members, would violate the non-disclosure requirements of title 10, U.S. Code, section 613a and is strictly prohibited. Consult with your Staff Judge Advocate to ensure that any discussion of the investigation complies with applicable law and regulation.

Finally, you are directed to take any non-punitive administrative actions you deem appropriate as a result of this matter.



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

JAN 23 2015

From: Secretary of the Navy

Subj: CONTINUING DUTY NOT TO DISCLOSE FISCAL YEAR 2016 U.S.
MARINE CORPS BRIGADIER GENERAL PROMOTION SELECTION BOARD
PROCEEDINGS AND RECOMMENDATIONS

Ref: (a) My letter of September 9, 2014
(b) Fiscal Year 2016 U.S. Marine Corps Promotion
Selection Board Report and Nominations
(c) Title 10, U.S. Code
(d) Department of Defense Instruction 1320.14

1. Pursuant to reference (a), you were assigned as the Board President, a Member, Recorder or as administrative support personnel for the Fiscal Year 2016 (FY16) U.S. Marine Corps (USMC) Brigadier General Promotion Selection Board (hereinafter "the Board"). I have since determined that the Board, as constituted at that time, was conducted contrary to my precept guidelines set forth in reference (a). On January 16, 2015, I notified the Commandant of the Marine Corps of my decision to return reference (b) to the Board for further proceedings with newly appointed members in accordance with section 618 of reference (c).

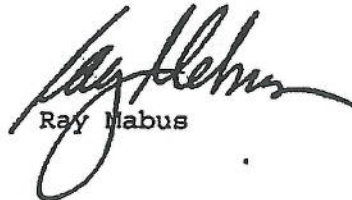
2. Your oath, taken in accordance with reference (a), section 613 of reference (c), and reference (d), remains in effect. As such, you shall not disclose the proceedings or recommendations of the Board that convened on September 30, 2014 pertaining to the selection or nonselection of individual officers except as authorized or required by me or higher authority. This prohibition against disclosure remains in effect indefinitely, even after the results of the Board have been publicly released.

3. The Commandant of the Marine Corps will direct an inquiry into the proceedings of the Board. It is my intent that this be a thorough examination into the totality of the promotion selection board process, but specifically with respect to whether the Board was conducted without partiality or prejudice. Therefore, you are released from your oath for the limited purpose of answering the investigating officer's questions pertaining to your personal knowledge of the manner in which the Board was conducted. Should you have any questions as to whether you may answer a particular question, or line of questioning, you are highly encouraged to contact either of my

Enclosure (3)

Subj: CONTINUING DUTY NOT TO DISCLOSE FISCAL YEAR 2016 U.S.
MARINE CORPS BRIGADIER GENERAL PROMOTION SELECTION BOARD
PROCEEDINGS AND RECOMMENDATIONS

Special Assistants for Legal Matters, CDR (b) (6) JAGC,
USN, and LtCol (b) (6) USMC, at (b) (6) and
(b) (6) or by email at (b) (6) and
(b) (6)


Ray Mabus

Distribution:
CMC

(b) (6)



Subj: CONTINUING DUTY NOT TO DISCLOSE FISCAL YEAR 2016 U.S.
MARINE CORPS BRIGADIER GENERAL PROMOTION SELECTION BOARD
PROCEEDINGS AND RECOMMENDATIONS

(b) (6)

